

1
2
3 UNITED STATES DISTRICT COURT
4 DISTRICT OF NEVADA
5

6 ERIC JOHNSON,

7 Petitioner,

8 v.

9 GABRIELA NAJERA, *et al.*,

10 Respondents.
11

Case No. 2:18-cv-02343-GMN-DJA

ORDER

12 This action is a petition for writ of habeas corpus by Eric Johnson, who is incarcerated at
13 Nevada's Southern Desert Correction Center serving prison sentences totaling 18 to 45 years on
14 convictions of three counts of robbery using a deadly weapon and one count of first-degree
15 kidnapping. The case has been stayed since January 11, 2023, pending resolution of a state court
16 petition for writ of habeas corpus. *See* Order entered January 11, 2023 (ECF No. 66).

17 On April 28, 2023, Johnson, who is represented by appointed counsel, filed a Motion to
18 Lift Stay (ECF No. 68) and a Motion to Voluntarily Dismiss (ECF No. 69). In those motions,
19 Johnson states that he has voluntarily dismissed his state habeas action, and he now wishes to
20 voluntarily dismiss this federal habeas action. Respondents did not respond to Johnson's
21 motions. As there has not been an answer filed, the Court will grant Johnson's motions and will
22 dismiss this action pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i).

23 **IT IS THEREFORE ORDERED** that Petitioner's Motion to Lift Stay (ECF No. 68)
24 and Motion to Voluntarily Dismiss (ECF No. 69) are **GRANTED**.

25 ///

26 ///

27 ///

28 ///

1 **IT IS FURTHER ORDERED** that this action is dismissed. The Clerk of the Court is
2 directed to enter judgment accordingly and close this case.

3 DATED THIS 15 day of May, 2023.

4
5 
6 _____
7 GLORIA M. NAVARRO
8 UNITED STATES DISTRICT JUDGE
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28